

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

COLMAR PROPERTIES LLC and
COLEMAN D. MOORE,

Plaintiffs,

v.

COMMISSIONER OF THE INTERNAL
REVENUE SERVICE,

Defendant

No. C 05-0912 MMC

**ORDER VACATING MARCH 3, 2006
HEARING**

Before the Court is defendant's Motion to Dismiss and for Summary Judgment, filed January 27, 2006, and scheduled for hearing March 3, 2006. Pursuant to the Civil Local Rules of this District, opposition was due no later than February 10, 2006. See Civil L. R. 7-3(a) (providing opposition to motion must be filed no less than 21 days before hearing date). To date, no opposition has been filed.

Accordingly, the Court deems the matter submitted on the moving papers and VACATES the hearing scheduled for March 3, 2006.

IT IS SO ORDERED.

Dated: February 22, 2006


MAKINE M. CHESNEY
United States District Judge